

AN ACT

To authorize the conveyance of state-owned real estate in Franklin County to Step by Step Academy, Inc., and to declare an emergency.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. (A) The Governor is authorized to execute a deed in the name of the state conveying to Step by Step Academy, Inc. (hereinafter the "grantee"), its successors and assigns, or to an alternate grantee under division (F) of this section, all of the state's right, title, and interest in the following described real estate:

Tract 1

Situated in the State of Ohio, County of Franklin, City of Worthington, being part of Quarter Township 3, Township 2, Range 18, United States Military Lands, being parts of those two parcels of land (First Parcel and Second Parcel) as described in a deed to The Columbus Sanitarium Company (n.k.a. Harding Sanitarium, Inc.), of record in Deed Volume 874, Page 274, all references herein being to the records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at the northwesterly corner of the Second Parcel, at the northeasterly corner of that 2.25 acre tract as described in a deed to Harding Sanitarium, Inc., of record in Deed Volume 1885, Page 81 and in the centerline of Dublin-Granville Road (State Route 161);

Thence South 85°15'00" East, along said centerline, a distance of 70.12 feet to the intersection of the centerline of Proprietors Road, 50 feet in width, being also a corner common to First Parcel and Second Parcel;

Thence South 85°21'30" East, continuing along said centerline, a distance of 403.54 feet to the northeasterly corner of First Parcel and in the westerly right-of-way line of the Norfolk & Western Railway Co.;

Thence South 1°47'15" East, along said right-of-way line, a distance of 300.00 feet to a point in the easterly line of that 40 foot wide (+/-) strip of land (originally out of said First Parcel) as described in a deed to Ohio Railway Museum, Inc., of record in Official Record Volume 29706, Page E09;

Thence northerly along said easterly line the following two courses:

1. North $11^{\circ}44'58''$ West, a distance of 24.09 feet to a point of curvature;
2. With the arc of a curve to the right, having a radius of 1753.18 feet, a central angle of $8^{\circ}31'54''$, the chord of which bears North $7^{\circ}29'01''$ West, a chord distance of 260.82 feet to a point in the original southerly right-of-way line of Dublin-Granville Road (20.00 feet south of centerline);

Thence North $85^{\circ}21'30''$ West, along said right-of-way line, a distance of 44.77 feet to a point at the intersection of the westerly line of said 40 foot wide (+/-) strip;

Thence southerly along said westerly line the following courses:

1. South $5^{\circ}16'57''$ East, passing an iron pin set in the southerly right-of-way line of Dublin-Granville Road at 35.53 feet (55 feet right of station 30+91.5), a total distance of 169.02 feet to a point in the center of Rush Run;

2. South $11^{\circ}36'57''$ East, a distance of 819.40 feet to an iron pin set at a point of curvature;

3. With the arc of a curve to the right, having a radius of 5699.00 feet, a central angle of $10^{\circ}00'12''$, the chord of which bears South $6^{\circ}36'51''$ East, a chord distance of 993.74 feet to an iron pin found at the northeasterly corner of the subdivision "Colonial Hills No. 2", of record in Plat Book 20, Page 10, in the easterly right-of-way line of a vacated alley;

Thence North $84^{\circ}38'48''$ West, along the northerly line of Colonial Hills No. 2, passing the northeasterly corner of Lot 619 at 20.22 feet and the northwesterly corner at 140.13 feet, a total distance of 180.52 feet to a P.K. nail found at the centerline intersection of Indianola Avenue, 80.00 feet in width, and Park Overlook, 60.00 feet in width;

Thence North $84^{\circ}47'15''$ West, along the centerline of Park Overlook, a distance of 39.60 feet to a P.K. nail set at the southeasterly corner of that 0.402 acre tract as described in a deed to The Board of Commissioners of Franklin County, Ohio (for right-of-way purposes), of record in Deed Volume 1688, Page 284;

Thence North $1^{\circ}16'15''$ West, along the easterly line of said 0.402 acre tract, a distance of 30.19 feet to an iron pin set at the northeasterly corner of same;

Thence North $84^{\circ}47'15''$ West, along the northerly line of said 0.402 acre tract (the northerly right-of-way line of Park Overlook), a distance of 153.84 feet to an iron pin found at the southeasterly corner of the property of Karen S. and Shawn E. Miller, of record in Instrument No. 200103090048575;

Thence North $4^{\circ}35'22''$ East, along the easterly line of said Miller

property, a distance of 150.00 feet to an iron pin found at the northeasterly corner of same;

Thence North $84^{\circ}47'15''$ West, along the northerly line of a series of eight tracts (all originally out of First Parcel), a distance of 442.15 feet to an iron pin set in the center of the vacated half of Forest Avenue, 25 feet in width, as established by the plat "Subdivision of Reserve "B", Colonial Hills Plat No. 2", of record in Plat Book 21, Page 11, and vacated by City of Worthington Ordinance No. 96-94;

Thence North $4^{\circ}30'40''$ East, along the center of said vacated half of Forest Avenue, a distance of 154.72 feet to an iron pin set at the terminus of same;

Thence North $85^{\circ}27'11''$ West, along the northerly line of said Subdivision of Reserve "B", Colonial Hills Plat No. 2 and along the northerly line of "Rush Creek Subdivision" (a re-plat of a portion of Subdivision of Reserve "B", Colonial Hills Plat No. 2) of record in Plat Book 28, Pages 38 and 39, a distance of 674.11 feet to an iron pin found at the southwesterly corner of Second Parcel and at the terminus of South Street;

Thence North $4^{\circ}32'51''$ East, along the easterly line of said Rush Creek Subdivision, being also the easterly right-of-way line of vacated Andover Street (vacated by City of Worthington Ordinance No. 15-56), passing an iron pin found in the northerly right-of-way line of South Street at 25.00 feet, a total distance of 859.66 feet to an iron pin set at the southwesterly corner of that 0.69 acre tract as described in a deed to George T. and Joan L. Harding, of record in Deed Volume 2318, Page 198;

Thence South $85^{\circ}22'28''$ East, along the southerly line of said 0.69 acre tract, a distance of 200.07 feet to an iron pin set at the southeasterly corner of same and at a southwesterly corner of that 2.323 acre tract as described in a deed to Harding Hospital, Inc., of record in Deed Volume 3790, Page 425;

Thence North $59^{\circ}53'33''$ East, along the southeasterly line of said 2.323 acre tract, a distance of 536.55 feet to an iron pin set at the most easterly corner of same and at the southeasterly corner of that aforementioned 2.25 acre tract;

Thence North $4^{\circ}45'00''$ East, along the easterly line of said 2.25 acre tract, a distance of 440.21 feet to the place of beginning and containing 40.934 acres of land, which is comprised of all of tax parcels 100-001234 and 100-000398.

Bearings herein are based on South $85^{\circ}15'00''$ East for the centerline of Dublin-Granville Road west of Proprietors Road as indicated in the referenced deed of record in Deed Volume 1885, Page 81.

Iron pins set consist of a 1" (O.D.) iron pipe, 30" long with a plastic cap inscribed "M-E Companies/S-6872".

This description was prepared by M-E Companies, Inc., Civil Engineering Group, based on information obtained from an actual field survey of the premises in April, 2003.

Robert S. Wynd, Registered Surveyor No. 6872

Tract 2

Situate in the State of Ohio, County of Franklin and Township of Sharon, and being part of Quarter Township 3, Township 2, Range 18, U.S. Military Lands and being part of a tract of 19.65 Acres, designated as Second Parcel in the deed from the Sanitarium Realty Company to the Columbus Sanitarium Company, as the same is shown of record in Deed Book 874, page 274, Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Beginning at an iron pin in the east line of Foster Street (now Andover Street) at the northwest corner of the above mentioned 19.65 Acre Tract; thence with the north line of said tract, S. 85°15' E. 640.9 ft. to an iron pin; thence S. 59°30' W. 540.9 ft. to an iron pin at the southeast corner of a 0.69 Acre Tract conveyed to Harrison and Ruth Evans, as the same is shown of record in Deed Book 1117, page 633, Franklin County records; thence with the east line of said 0.69 Acre Tract, N. 4°35' E. 150 ft. to an iron pin at the northeast corner of said tract; thence with the north line of said 0.69 Acre Tract, N. 85°16' W. 200 ft. to an iron pin at the northwest corner of said tract and in the east line of Foster Street (now Andover Street) the same being the west line of the above mentioned 19.65 Acre Tract; thence with said west line along the east line of Foster Street (now Andover Street), N. 4°35' E. 162 ft. to the place of beginning, containing 2.323 Acres more or less.

Tract 3

Situated in the State of Ohio, County of Franklin, City of Worthington, and being in Township No. 2, Quarter Township No. 3, Range 18, U.S. Military Lands, and being part of the 5.35 Acre tract conveyed to Frances K. Harding by deed of record in Deed Record 1174 at page 615, Recorder's Office, Franklin County, Ohio, and more particularly described as follows:

Beginning at a point in the center line of the Worthington and Granville Road (also known as State Route 161) at the northeast corner of the land conveyed to the Harding Sanitarium, Inc. by deed of record in Deed Book 1885, page 81, Recorder's Office, Franklin County, Ohio, and at the northwest corner of land owned by Harding Sanitarium, Inc.; thence N. 85°15' W. along the center line of the Worthington and Granville Road a distance of Two Hundred Twenty Five (225) feet to a point; thence S. 4°45'

W. a distance of Four Hundred and Thirty Eight (438) feet to a point; thence S. 85°15' E. a distance of Two Hundred Twenty Five (225) feet to a point; thence N. 4°45' E. Four Hundred Thirty Eight (438) feet to the place of beginning, containing 2.25 acres, more or less.

The foregoing legal descriptions may be adjusted to accommodate any corrections necessary to facilitate recordation of the deed.

The above referenced Tract 1, Tract 2, and Tract 3 are known as Franklin County Parcel Numbers 100-000398, 100-000780, 100-001234, 100-000696, and 100-001368.

(B) The conveyance of the real estate described in division (A) of this section shall include the buildings, parking areas, improvements, and fixtures now situated on the real estate, and shall be conveyed in "as-is, where-is, with all faults" condition.

(C) Consideration for the conveyance of the real estate described in division (A) of this section shall be four million five hundred thousand dollars.

(D) The real estate described in division (A) of this section shall be conveyed subject to all easements, covenants, conditions, and restrictions of record; all legal highways and public rights-of-way; zoning, building, and other laws, ordinances, restrictions, and regulations; and real estate taxes and assessments not yet due and payable.

(E) The deed or deeds to the real estate described in division (A) of this section may contain restrictions, exceptions, reservations, reversionary interests, and any other terms and conditions the state or The Ohio State University may determine to be in the best interest of the state, including restrictions that are reasonably necessary to protect the state's interest in neighboring state-owned land. Subsequent to the conveyance, the state or The Ohio State University may release any restrictions, exceptions, reservations, reversionary interests, or other terms and conditions contained in the deed or deeds.

(F) The Ohio State University is authorized to use any reasonable method of sale, including, but not limited to, a negotiated purchase agreement, to determine an alternate grantee and consideration in the event Step By Step Academy, Inc., does not complete the purchase of the real estate described in division (A) within one year after the effective date of this section.

(G) The grantee and The Ohio State University shall pay all costs associated with the conveyance of the real estate, pursuant to a negotiated purchase contract.

(H) The net proceeds of the sale of the real estate shall be paid to The

Ohio State University and deposited in the appropriate university accounts to the benefit of The Ohio State University Wexner Medical Center.

(I) Upon payment of the purchase price, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate. The deed shall state the consideration and the conditions. The deed shall be executed by the Governor in the name of the state, countersigned by the Secretary of State, sealed with the Great Seal of the State, presented in the Office of the Auditor of State for recording, and delivered to the grantee. The grantee shall present the deed for recording in the Office of the Franklin County Recorder.

(J) This section expires three years after its effective date.

SECTION 2. This act is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for the emergency is that immediate action is necessary to put the real estate to productive use for the economic benefit of all Ohioans. Therefore, this act shall go into immediate effect.

Speaker _____ *of the House of Representatives.*

President _____ *of the Senate.*

Passed _____, 20____

Approved _____, 20____

Governor.

S. B. No. 201

130th G.A.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the ___ day of _____, A. D. 20____.

Secretary of State.

File No. _____ Effective Date _____